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C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 001345

SIPDIS

STATE FOR EAP/MLS; PACOM FOR FPA

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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [PINS](#) [BM](#)

SUBJECT: BURMA: DIPLOMATS BRIEFED ON NATIONAL CONVENTION

REF: A. RANGOON 1233

[B](#). RANGOON 380

[C](#). RANGOON 201 AND PREVIOUS

[D](#). RANGOON 1321

[E](#). RANGOON 1332

Classified By: Poloff Dean Tidwell for Reasons 1.4 (b, d)

[1](#)1. (U) SUMMARY: The GOB held a briefing on December 1 for diplomats to share plans for the National Convention (NC), scheduled to reconvene on December 5. The GOB blamed the NLD and its supporters in the West for the delay in the NC, originally convened in 1993, from completing its long-awaited work. After describing the agenda for the upcoming session, GOB officials stated that the next session was an interim one; there would be several more sessions before the NC process is finally over. We do not expect the GOB to get to home plate for a long time to come. End Summary.

[1](#)2. (U) The Ministry of Foreign Affairs invited heads of diplomatic missions to attend a briefing on December 1 about the regime's National Convention, scheduled to reconvene on December 5. The Chief Justice of the Supreme Court and the Attorney General lead the brief and answered questions afterwards. The Chief Justice read a prepared text tracing the history of the NC process since it began in 1993. The GOB blamed the National League for Democracy (NLD) and the West for the delay in achieving multi-party democracy in Burma. Referring to the NLD and Aung San Suu Kyi (ASSK), the statement claimed they had "completely ignored the interests of the nation and the people, but gave priority to the interests of its own and the wish of an individual."

[1](#)3. (U) After detailing the 16 "basic principles" that were approved in the last session (ref B), the Chief Justice listed the three agenda items for the upcoming session:

- Discussion, coordination, and approval of principles for the sharing of administrative and judicial powers;
- Discussion on principles for relations among "Hluttaws" (Regional Councils);
- Discussions on principles on the role of the Tatmadaw (Burmese Armed Forces).

[1](#)4. (U) The prepared text noted that "more NC sessions are to be held," listing eight more agenda items for consideration in future sessions, including:

- Fundamental rights and responsibilities of citizens;
- Elections;
- Political parties;
- Procedures for a state of emergency;
- Amendments;
- State flag, emblem, national anthem, and capital;
- Procedures during the transition period.

A BRIEFING WITH MORE QUESTIONS THAN ANSWERS

[1](#)5. (C) In the panel Q & A session, the U.K. ambassador said that the ethnic cease-fire groups were frustrated with previous sessions at which the GOB's "handpicked delegates" did not accept proposals from other participants. She asked what assurance the ethnic groups had of the right to use their own languages and to be involved in local administration. The officials responded that there is no discrimination against the more than 100 races in the country and the state was committed to developing their language, literature, and culture.

[1](#)6. (C) The French ambassador asked how long the NC process would last, and how many ethnic races would be represented among the delegates. Responding that "we don't handpick our delegates," the officials noted that there are over 400 ethnic delegates at the NC. The German DCM asked whether the GOB did not want to invite international constitutional experts to help in drafting the new constitution. The officials said they would study the constitutions of other countries, but stated that they understand their own needs best and they do not need foreign experts.

[1](#)7. (C) Another diplomat asked whether the GOB planned to invite the NLD to this session. The officials responded that they last invited the NLD in 2004 and the party declined to attend, after initially saying it would. They said NLD

attendance at the NC was "a matter for them (NLD leaders) to decide." The government did not plan to issue them new invitations. The officials avoided connecting the detention of ASSK with the NLD decision to boycott the NC process.

18. (C) The Australian ambassador noted that in the lead up to the NC the GOB had slapped "very punitive sentences" against ethnic Shan leaders (ref D) and only this week had extended the detention order for ASSK (ref E). He contrasted this to the GOB's repeated calls for "national reconciliation." He reminded the officials that "international attention is closely focused on these issues," and noted the discussions about Burma that are now taking place at the U.N. The officials, including the Chief Justice and the Attorney General, replied that such "legal matters are outside our purview...so you should discuss them with the authorities concerned." The Attorney General added that "these people have committed crimes...but they have the right to appeal" and again claimed "this is not our concern" in the NC process.

COMMENT: THE JOURNEY IS THE DESTINATION

19. (C) The military regime feels no great pressure to alter the status quo at present and seems to be in no hurry to complete the first step of their seven-step "road map to democracy." The generals clearly have no intention to hand over the reins of power to a democratically elected government. It now seems clear that the NC process is unlikely to move forward any more quickly in 2006. The drafting of a final constitution and its ratification will not be completed soon. The earlier rush to wrap this up before Burma chaired ASEAN has been deferred, so the seven-step "road map to democracy" remains a long and winding road. End Comment.
STOLTZ